

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,
Plaintiff,

NOTICE OF MOTION

v.

DAVID RUBEL,
Defendants.

Case No: 20-cr-00195(JLS)(JJM)

S I R S :

PLEASE TAKE NOTICE that upon the annexed affidavit Herbert L. Greenman, Esq., the undersigned moves this Court for an Order extending the speedy trial time as to David Rubel for an additional 45 days from February 22, 2022 for reasons set forth in the affidavit annexed hereto and made a part hereof together with such other and further relief as to this Court may deem just and proper.

DATED: Buffalo, New York
February 16, 2022

Respectfully submitted,

/s/Herbert L. Greenman

HERBERT L. GREENMAN, ESQ.
LIPSITZ GREEN SCIME
CAMBRIA, LLP
Counsel for Defendant
DAVID RUBEL
42 Delaware Avenue
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TO: LAURA HIGGINS, ESQ.
ASSISTANT UNITED STATES ATTORNEY
138 Delaware Ave.
Buffalo, NY 14202

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,
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Defendants.

AFFIDAVIT

Case #20-cr-00195(JLS)(JJM)

STATE OF NEW YORK)
COUNTY OF ERIE SS:
CITY OF BUFFALO)

HERBERT L. GREENMAN, Esq. being duly sworn deposes and says:

1. I am an attorney for the defendant David Rubel.
2. Initially, change of plea proceedings are scheduled to be conducted before United States District Judge John L. Sinatra. That change of plea proceeding is being adjourned for approximately 45 days.
3. As a consequence, we ask that this Court exclude the speedy trial time for 45 days from February 22, 2022.
4. Assistant United States Attorney Laura Higgins advises that she has no objection to this request.
5. The parties agree that the interest of the defendant and the community in a speedy disposition is outweighed by this request.

WHEREFORE, your deponent prays that this Court rule accordingly.

DATED: February 16, 2022
Buffalo, New York

Respectfully submitted,

/s/Herbert L. Greenman

HERBERT L. GREENMAN, ESQ.
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Sworn to before me this 16th day
Of February, 2022

/s/Elizabeth M. Jagord-Ward

Notary Public, State of New York
Qualified in Erie County
My Commission Expires October 31, 2022